

**Minutes of the
Bountiful City Council Meeting
City Council Chambers
October 14, 2008 - 7:00 p.m.**

Present:	Mayor:	Joe L. Johnson
	Council Members	Beth Holbrook, John Marc Knight, R. Fred Moss, Scott Myers and Thomas Tolman
	City Manager	Tom Hardy
	City Engineer	Paul Rowland
	City Recorder	Kim J. Coleman
	Planning Director	Aric Jensen
	Department Reps.	Gary Blowers, Streets/Sanitation Jerry Wilson, Parks
	Recording Secretary	Nancy Lawrence
Excused:	City Attorney	Russell Mahan

Official Notice of this meeting had been given by posting a written notice of same and an Agenda at the City Hall and providing copies to the following newspapers of general circulation: Davis County Clipper, Deseret News, and Salt Lake Tribune.

Mayor Johnson called the meeting to order at 7:00 p.m, following which Trevor Randall, visiting Boy Scout, led the pledge of allegiance to the flag. The prayer/thought was offered by Councilman Knight.

APPROVAL OF MINUTES

Minutes of the City Council meetings held September 9, 2008 and September 23, 2008 were presented and unanimously approved as written on a motion made by Councilman Tolman and seconded by Councilman Moss. Voting was unanimous with Councilpersons Holbrook, Knight, Moss, Myers and Tolman voting "aye".

EXPENDITURES AND EXPENSES APPROVED

Mayor Johnson presented the Report of Expenditures and Expenses Greater than \$1,000 for the following periods, with respective totals: September 11-17, 2008, \$490,801.54; September 18-24, \$2,283,973.95; and September 25, 2008 - October 1, 2008, \$920,474.24. Following a short discussion regarding these reports and a short report from Mr. Hardy on how Bountiful City funds are invested, Councilman Knight made a motion to approve the expenditures, as presented. Councilman Moss seconded the motion and voting was unanimous. Councilpersons Holbrook, Knight, Moss, Myers, and Tolman voted "aye".

RECOGNITION OF ED CADWALADER, RETIRING CITY EMPLOYEE

Mr. Blowers introduced Ed Cadwalader who was recognized on his retirement from Bountiful City employment. Mr. Cadwalader first worked as an animal control officer (under the

1 CETA program) and then transferred to the Sanitation Department. In total, he was employed by
2 the City for 31 years. He was the first driver of the automated trucks, and is the first and only
3 employee to retire from the Sanitation Department. Mr. Blowers noted that Mr. Cadwalader was
4 very concerned about safety issues and also helped with snow plowing. He said that he will be
5 greatly missed by the residents he served, as well as fellow employees. Mr. Hardy remembered
6 having "philosophy talks" when Mr. Cadwalader picked up his garbage and he praised him for
7 consistently doing what was required and beyond.
8

9 Mr. Cadwalader stated that his career with the City has been wonderful and he reminisced
10 that the process of picking up garbage has moved from "throwing" garbage on the back of the
11 truck, to the single side loaders currently used. He said it is amazing how many citizens he got to
12 know as he served them, and that he will miss this working relationship. Mayor Johnson praised
13 Mr. Cadwalader for his dedicated service, and he presented him with a token of appreciation on
14 behalf of the City.
15

16 **YOUTH COUNCIL REPORT**

17 Rachel Boman, Youth City Mayor, and Hannah Broom, Youth City Council, were in
18 attendance and reported on the following upcoming events: Leadership Conference at Utah State
19 University, the service marathon, and the Pumpkin Patch at North Canyon (October 30). Council
20 members were invited to participate as judges at the pumpkin carving contest. Councilman
21 Knight noted also that the Youth Council will be participating in the Youth Legislative Day in
22 January.
23

24 **ACCEPTANCE OF CONTRIBUTION FROM WAL MART** 25 **FOR BOUNTIFUL TRAILS SYSTEM**

26 Mayor Johnson reviewed that a concept of having walking/jogging trails for City
27 residents was introduced, and WalMart entered into a partnership with the City to support this
28 venture. Amy Teicher and four co-workers, representing WalMart, congratulated the Mayor for
29 his efforts in creating the trails system, and she presented the City with a check for \$20,000,
30 bringing the total donation from WalMart to the City up to \$40,000. This check will be put in
31 the Davis Schools Trust fund where it will be combined with other funds. The trails system will
32 connect schools in the area.
33

34 **BID APPROVED FOR POST OFFICE FOUNTAIN REPAIR**

35 Mr. Wilson reported that bids were received from two contractors to repair the fountain at
36 the Post Office. He recommended that the low bid in the amount of \$18,800 from Pleasant
37 Valley Landscape be approved. This was an unanticipated expenditure and will be funded from
38 the Council Contingency fund. Councilman Myers motioned to award the bid, as recommended.
39 Councilwoman Holbrook seconded the motion and voting was unanimous. Councilpersons
40 Holbrook, Knight, Moss, Myers and Tolman voted "aye".
41

42 **BID APPROVED FOR ARTS CENTER RESTROOM REMODEL**

43 Mr. Rowland reviewed that the current budget includes \$23,000 to remodel the basement
44 restrooms in the Bountiful/Davis Arts Center building. Several contractors were contacted, but

only one responded, given the price constraints. It is the recommendation of staff to accept the bid from Ralph McQuiston (McQuiston Enterprises) in the amount of \$22,800.00 to perform the remodel, which includes removing all of the plumbing fixtures, floor tile and doors in the two lower level restrooms and installing ADA compliant fixtures and grab bars, new tile, paint and doors. Councilman Moss made a motion to approve the bid, as presented. Councilman Tolman seconded the motion and voting was unanimous in the affirmative. Councilpersons Holbrook, Knight, Moss, Myers and Tolman voted "aye".

**PRELIMINARY AND FINAL PUD PLAT APPROVAL GRANTED
FOR ORCHARD DRIVE BUSINESS COMPLEX PUD (2084 SO ORCHARD DR)**

Mr. Rowland reported that in September 2007 the Planning Commission and City Council approved the Orchard Drive Business Complex as a 20-unit residential condominium development with a large commercial pad. The developer, Matt Carter, has completed approximately 10 of the residential units and has several closings scheduled in the upcoming weeks. A large portion of this project has already been constructed and Mr. Carter has also satisfied all of the fee and bonding requirements related to the site improvements.

It is the recommendation of staff and the Planning Commission to grant preliminary and final plat approval of the Orchard Drive Business Complex PUD, with the finding that it is consistent with the approved site plan and that it meets all of the criteria for preliminary and final subdivision plat approval, with the condition that Mr. Carter submits a current title report. Councilwoman Holbrook made a motion to this effect, Councilman Myers seconded the motion and voting was unanimous. Councilpersons Holbrook, Knight, Moss, Myers and Tolman voted "aye".

FINAL SITE PLAN APPROVED FOR LAKEHILLS MEDICAL BLDG. #2

Mr. Jensen presented the request of Neal Humphrey for final site plan approval for the Lakehills Medical Building #2, which is an exact copy of the existing Lakehills Medical Building located at 469 East Medical Drive. He said that the Planning Commission reviewed the project at length because of the location of the parking lot near 400 East. Both staff and the commission members felt that if this were a new project, they would have located the buildings near the corner and put all of the parking behind the buildings. However, since this is an extension of an existing project, and since the proposal meets the requirements of the ordinance, the Commission recommended final site plan approval, as submitted, subject to the following conditions:

- 1) Any additional redline corrections be made.
- 2) At the time of building permit review, a fire suppression system shall be installed meeting the approval of the Building Inspector and Fire Marshall, or a letter be provided from the Building Inspector and/or Fire Marshall stating that a fire suppression system is not required.

Following discussion, Councilman Tolman made a motion to grant final site plan approval for the Lakehills Medical Office Building #2, as recommended. Councilwoman Holbrook

1 seconded the motion which carried unanimously. Councilpersons Holbrook, Knight, Moss, Myers
2 and Tolman voted “aye”.

3
4 **ORD. NO. 2008-08 ADOPTED RE: VACATION OF LOT IN IRFRED PARK;**
5 **PRELIMINARY AND FINAL APPROVAL GRANTED TO HELEN B. JENSEN**
6 **SBDVN, 3139 SO CRESTVIEW CIR.**

7 Mr. Hardy reviewed that, generally speaking, it is not desirable for an existing subdivision
8 lot to be further subdivided. However, the City Council has the discretion to do so via adoption of
9 an ordinance. Helen Jensen has requested a lot split at 3139 South Crestview Circle and it is the
10 belief of staff and the Planning Commission that it meets the requirements of the City Council’s
11 policy on lot splits for the following reasons:

- 12 1) The existing lot already fronts two streets so the new lot will front onto Orchard Drive,
13 away from Crestview Circle.
- 14 2) The new lot does not obstruct any homes in the existing subdivision except the one
15 requesting the split.
- 16 3) Similar subdivision approval was granted to the adjacent lot three years ago, with the
17 findings that it would not adversely affect the existing homes in the Irfred Park
18 Subdivision.

19
20 Based on these items, it is the recommendation of staff and the Planning Commission that the lot
21 split be approved and a new subdivision approved, subject to a public hearing.

22
23 At 8:15 p.m. Mayor Johnson opened the public hearing to consider Ordinance No. 2008-
24 08 entitled **AN ORDINANCE VACATING LOT 3 OF THE IRFRED PARK AMENDED SUBDIVISION IN**
25 **BOUNTIFUL, DAVIS COUNTY, UTAH, AND RELEASING THE EASEMENTS THEREON, FOR THE**
26 **PURPOSE OF BEING INCORPORATED INTO THE NEW HELEN B JENSEN SUBDIVISION.** Jerry
27 Preston, representing Helen Jensen, was in attendance to support this request. There were no
28 other comments and the hearing was closed at 8:16 p.m.

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30 Councilman Moss made a motion to adopt Ord. No. 2008-08, as presented.
31 Councilwoman Holbrook seconded the motion and voting was unanimous. Councilpersons
32 Holbrook, Knight, Moss, Myers and Tolman voted “aye”.

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34 Councilman Moss then made a motion to grant preliminary and final approval of the two-
35 lot Helen B. Jensen Subdivision, subject to the following conditions of staff and the Planning
36 Commission:

- 37 1. The sidewalk and circular/turn-around driveway be provided when a building permit is
38 granted and a home built on the new lot.
 - 39 2. The new lot shall have a 30' setback from Orchard Drive to provide for the circular
40 driveway and to provide a little more separation from the street.
 - 41 3. An easement in favor of lot 2 be provided along the south line of lot 1 to provide for
42 the new sewer lateral.
- 43

4. Provide a current Title Report for the property.
5. The existing parcel be vacated from Irfred Park Amended Subdivision by ordinance of the City Council.
6. Make minor corrections per redlines.
7. Payment of the following Fees:

Storm Water Impact Fee	0.459 x \$2,100.00 =	\$963.90
Checking Fee		200.00
Recording Fee		<u>50.00</u>
Total =		<u><u>\$1,213.90</u></u>

The motion was seconded by Councilman Tolman and voting was unanimous. Councilpersons Holbrook, Knight, Moss, Myers and Tolman voted "aye".

**COUNCIL GRANTS FINAL COMMERCIAL SITE PLAN APPROVAL FOR
SILVER CREEK COMMERCIAL COMPLEX AND FINAL COMMERCIAL
BUILDING APPROVAL FOR MIKE & STERLING'S FLOORING**

Mr. Jensen presented the request of Silver Creek Commercial Center for final site plan approval and final building design approval for Mike and Sterling's Flooring America (500 North 500 West). He said that not much has changed since preliminary approval was given and noted that the applicants have worked closely with the City to meet suggested changes. It is the recommendation of staff and the Planning Commission that final site plan be approved for the Silver Creek Commercial Center, and final building elevation approved for the Mike and Sterling's building, with the following conditions:

1. The 8-inch fire line be looped between 500 West and 400 North and an accompanying easement be provided.
2. The applicant provide a complete landscape plan stamped by a licensed Utah Landscape Architect.
3. The applicant provide written access and storm drain approval from UDOT.
4. Any other redline corrections be made prior to final submittal.

Councilwoman Holbrook motioned to grant both approvals, as recommended. Councilman Knight seconded the motion and voting was unanimous. Councilpersons Holbrook, Knight, Moss, and Tolman voted "aye".

NOTE: Councilman Myers had been excused from the meeting and was not present for this vote or the remainder of the meeting.

EXECUTIVE SESSION APPROVED

At the request of the Mayor, Councilman Tolman made a motion at 8:20 p.m. to adjourn from the public meeting and enter into an executive session to discuss property acquisition. Councilman Moss seconded the motion which carried unanimously. Councilpersons Holbrook, Knight, Moss, and Tolman voted "aye".

Attendance at Executive Session

Mayor Johnson

Councilpersons Holbrook, Knight, Moss, Myers and Tolman

Mr. Hardy

Mr. Rowland

Mr. Jensen

JOE L. JOHNSON, Mayor

KIM J. COLEMAN, City Recorder

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